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Eighth and ninth periodic reports of States parties due in 2014

Bhutan*

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Acronyms

ADB	Asian Development Bank
ADR	Alternate Dispute Resolution
BAOWE	Bhutan Association of Women Entrepreneurs
BNEW	Bhutan Network for Empowerment of Women
BNLI	Bhutan National Legal Institute
BNF	Bhutan Nuns Foundation
BLO	Bureau of Law and Order
BLSS	Bhutan Living Standard Survey
CAA	Child Adoption Act 2012
CCPA	Child Care and Protection Act 2011
CCPC	Civil and Criminal Procedure Code of Bhutan
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CSMI	Cottage, Small and Medium Industries
CRC	Convention on the Rights of Child
CSO	Civil Society Organization
DOI	Department of Immigration
Dungkhag	Sub-District
Dzongkhag	District
DVPA	Domestic Violence Prevention Act 2013
ECB	Election Commission of Bhutan
ECCD	Early Child Care and Development
FOP	Friends of Police
FYP	Five Year Plans
Gewog	Block
GFP	Gender Focal Point
GNH	Gross National Happiness
GNHC	Gross National Happiness Commission
GRPB	Gender Responsive Planning and Budgeting

IWRAW	International Women's Rights Action Watch
LDPM	Local Development Planning Manual
MAGIP	Market and Growth Intensification Project
MoAF	Ministry of Agriculture and Forests
MRG	Mainstreaming Reference Group
NCWC	National Commission for Women and Children
NHS	National Health Survey
NKRA	National Key Result Area
NPAG	National Plan of Action for Gender
NWM	National Women's Machinery
PCB	Penal Code (Amendment) Act of Bhutan 2011
PDP	People's Democratic Party
RBP	Royal Bhutan Police
RENEW	Respect, Educate, Nurture and Empower Women
REAP	Rural Economic Advancement Program
SAARC	South Asian Association for Regional Cooperation
SABAH	SAARC Business Association of Home Based Workers
SOP	Standard Operating Procedure
UNDP	United Nations Development Programme
UNODC	United Nations Office on Drugs and Crime
UNFPA	United Nations Population Fund
UN-Women	United Nations Entity for Gender Equality and the Empowerment of Women
WPCU/D	Women and Child Protection Unit/Desks

Introduction

1. The report contains the 8th and 9th Periodic Review of the Convention on the Elimination of All Forms of Discrimination against Women of Bhutan (CEDAW).

2. Since the last reporting, Bhutan has experienced a huge transition in its political system from that of a Hereditary Monarchy to a Constitutional Parliamentary Democratic System. In this period, Bhutan witnessed two democratic elections, the first in 2008 and the second in 2013.

3. The current ruling government, the People's Democratic Party (PDP), in its party manifesto includes strengthening the National Commission for Women and Children (NCWC) and the Civil Society Organizations (CSO) working on the issue of women and children. It also includes drafting a legislation that will ensure quota for women to increase their participation in the elected offices.

4. Bhutan in principle has always believed and maintained a non-discriminatory approach towards development.

5. The Constitution of the Kingdom of Bhutan, 2008, provides the overall legal framework for women's empowerment where in: fundamental rights are equally bestowed on men and women; fundamental duties mandate every Bhutanese not to tolerate abuse of women; principles of state policies intend and guide actions to eliminate discrimination against women and children; and recognizes ratified international treaties like the CEDAW as a deemed law of the Kingdom.

6. The enactment of specific legislations like the Child Care Protection Act 2011 and the Domestic Violence Prevention Act 2013 provides platform for women's rights to be protected as per such situations. Emergence of such laws, despite the negligible prevalence is a translation of the strong political will and enabling environment existing in Bhutan.

7. Other laws, from its drafting process, to the extent possible attempts to ensure that the rights of women and men are equally included and treated.

8. With regard to laws that are perceived to be gender blind, the relevant committees in the Parliament together with concerned agencies initiate its review.

9. The philosophy of Gross National Happiness (GNH) is integral in Bhutan's growth process. In practice, GNH strives to create an environment wherein every man, woman and child is involved and benefits from development and growth.

10. Every policy in Bhutan requires to be screened using the GNH policy screening tool. The GNH screening tool has gender equality as one of the parameters in rating a policy. This at the least eliminates the emergence of gender blind policies. Increasingly a number of emerging policies are gender sensitive and at best responsive.

11. The Five Year Plan's (FYP) directs the development process in Bhutan and is integral for initiating all developmental activities in the country. While the plans have directly specified the importance of women in development since the early eighties, since the 10th FYP (2008-2013), a major focus has been on gender mainstreaming the plans.

12. Coinciding with the 10th FYP a National Plan of Action for Gender (NPAG) was also formulated and endorsed by the government, mainly to strengthen and

support gender mainstreaming and women's empowerment. Based on the situational analysis of gender in Bhutan, the NPAG identified seven critical areas of interventions namely, Good Governance, Health, Education & Training, Violence Against Women, Mental Health, Ageing and Disabilities, Economic Empowerment, and Gender Stereotypes & Prejudices. Activities were drawn under every critical area with baselines, targets and responsible agencies.

13. The National Commission for Women and Children (NCWC) was granted the status of an autonomous agency. Subsequently, NCWC's strength and mandate have also become stronger. Gender Focal Persons Network in all the government, non-government and private sector agencies continue to expand and grow stronger. The Women and Child Protection Division, Units and Desks (WCPU/D) in the Royal Bhutan Police has also increased their services from a mere three police stations in 2007, to nine police stations across the country.

14. The presence of the CSOs has also increased in both strength and numbers. Over the period, in addition to the existing CSOs like RENEW, TARAYANA, and YDF, new CSOs like the BAOWE, SABAH and BNEW have also emerged. Non-government religious organization like the Bhutan Nuns Foundation (BNF) has also emerged.

15. In 2010, the compilation of a Gender Statistics was also published. The capacities of the gender focal persons are also being built in a regular manner. Advocacies, awareness and sensitization programs are being conducted regularly at all levels, including the communities. Besides, numerous researches, studies and surveys have been conducted to better inform planning and decision making.

16. More recently a Mainstreaming Reference Group (MRG) has also been constituted through an executive order of the Prime Minister, which will ensure that all cross cutting issues, including gender shall be mainstreamed.

17. The Government and the CSOs have also made efforts to improve access to basic services like water, electricity, health and education. Access to credit, skills and employment has also improved as evidence of such progress is being reported in the Bhutan Living Standard Survey (BLSS).

Millennium Development Goals

18. Recent statistics indicate that Bhutan has already achieved many of the targets of the Millennium Development Goals (MDGs).

19. As of 2013, for every 100 boys there are 101 girls at the primary level (PP-VI), which in terms of Gender Parity Index is 1.01. At the secondary level (VII-X), girls make up more than half (51.9%) of the total enrolment with a Gender Parity Index of 1.08. Girls' participation in the public higher secondary level (XI-XII) has increased from 32% in 2002 to 45.5% in 2013. As of 2013, girls make up 50.1% of the total enrolment in the private secondary schools (VII-X).

20. Bhutan witnessed a drastic decrease in the MMR to 86 deaths per 100,000 live births in 2012 which is a decrease in 169 deaths from the rate in 2000 which was 255 deaths per 100,000 live births. Further, the number of births attended by the skilled heath workers increased from 24% in 2000 to 74.6 in 2012 and the number of institutional delivery increased from 19.8 % in 2000 to 73.7 % in 2012. Despite

these achievements, the ratio of female to male in the tertiary institutions represents a wide gap. While the situation is improving, as of 2013, female comprised only 42% of the total enrolment in the tertiary education institutes of the Royal University of Bhutan.

21. Poverty rate has dropped from 23.3% in 2007 to 12% in 2012. However, poverty in the female headed households still remains higher than the male headed households.

22. While the prevalence of HIV/AIDS is low, it has been identified as a major public health concern and the government accords high priority to combat its spread. Detected number of HIV cases as of 2012 is 297.

Publicizing the Convention (Includes response to Paragraph 41, Concluding Observations, 7th Periodic Report, CEDAW)

23. The copies of the Concluding Observations are in formal publication which includes translation in the national language Dzongkha. All agencies, including the CSOs, private firms and the media were given adequate copies of the Concluding Observations of the 7th Periodic Report. The relevant parliamentary committees were also submitted with a copy each.

24. The NCWC in line with the Concluding Observations of the 7th Periodic Report of CEDAW organized and conducted focused awareness programs on principal areas of concern and recommendations. The programs were conducted for the media, gender focal points and the high level officials separately. Awareness on the Convention including the Concluding Observations was also carried forward through mass awareness campaigns led by the Chief Justice of Bhutan in 2009 covering the eastern Dzongkhags. It was further followed by advocacy programs including advocacy at the highest levels. The then Home Minister led the program with focus in the central Dzongkhags.

25. Significantly in 2010, a High Level Sensitization Program on Gender Mainstreaming was conducted. The program participants included Cabinet Ministers, Parliamentarians and Executive Officials of the Royal Government of Bhutan. An important component of the program was briefing on the Concluding Observations of the 7th Periodic Report of CEDAW. While it was an awareness program for many of the participants, it was also a reminder at the highest level on the obligations that the Royal Government had to fulfil. The NCWC initiated and conducted awareness on CEDAW to the contestants of the national beauty pageant in 2010.

26. Given the specific recommendations, presentations on the CEDAW itself and the Concluding Observations are being continuously taken forward through sensitization and capacity building programs of NCWC and by making relevant presentations during programs wherein NCWC is invited. The Gender Statistics 2010, the first of its kind in Bhutan was also dedicated to the outcome of the twenty third special session of the General Assembly, on the theme "Women 2000: Gender Equality, Development and Peace for the Twentieth Century".

27. Two focused capacity building programs were conducted on CEDAW and its implementation for the Gender Focal Persons. The first one day orientation on CEDAW was led by NCWC in 2012 which was later followed by a detailed three

day training program in collaboration with the International Women's Rights Action Watch (IWRAW) in 2013.

Challenges

28. Gender stereotype and prejudiced based beliefs and practices often outweigh the optimum impact of awareness and advocacy programs. Such beliefs disallow complete understanding and internalization of the issue. Therefore, incomplete understanding of the issue continues to pose subtle yet strong challenges particularly at the implementation stages.

29. A recurrent and continued issue is translating the enabling legal, policy and political environment into actions. This can be attributed to limited capacities. A consistent support towards institutional strengthening and capacity development remains a continuous challenge while the limited resources and the emerging characteristic of the issue aggravate the challenges. Such challenges are faced by the CSOs also.

30. Women's empowerment issue is spread across the country in various forms and magnitudes. Given the fact that there are already capacity constraints, challenging topography and demography (mountainous terrain, scattered settlement, high rural population, porous borders etc.) makes it doubly challenging from a financial and human resource perspective to reach the possible beneficiaries in the optimum manner.

Future Prospect

31. Bhutan will continue its endeavours, if not stronger then in similar lines. The 11th Five Year Plan (FYP), 2013-2018, from a gender perspective is even stronger and has gender in the most significant and transparent manner. An evidence of this is having 'Gender Friendly Environment for Women's Participation' as a National Key Result Area of the national development plan. As a result this should trigger stronger collaboration between the stakeholders in terms of resource allocation and consistent commitment especially at the national level. At a sectoral level, the 11th FYP encourages agencies to implement gender responsive budgeting, conduct gender awareness programs, generate and make use of sex disaggregated data.

32. A gender indicator handbook is being developed encompassing all sectors. The handbook will guide and strengthen the generation and use of gender statistics across all sectors consistently and in a mainstreamed manner. A gender monitoring system will be piloted from 2015 which will not only ensure implementation of gender related activities, but also lead to a more responsive planning, budgeting and monitoring from a women's rights perspective.

Part I

Article 1: Discrimination (Includes responses to Para 11 of the Concluding Observation on the 7th Periodic Report, CEDAW — Legal Status of the Convention and definition of Discrimination)

33. A direct presence of the definition of discrimination from CEDAW is not yet visible in the various legislations and policies in Bhutan. The Constitution of the Kingdom of Bhutan 2008 (hereinafter referred to as the Constitution of Bhutan) clearly mandates the Fundamental Rights that a Bhutanese citizen including women can exercise. Substantiating Article 7, Article 9 (17) states the overall intention of Bhutan in eliminating all forms of discrimination against women, "the State shall endeavor to take appropriate measures to eliminate all forms of discrimination and exploitation against women including trafficking, prostitution, abuse, violence, harassment and intimidation at work in both public and private spheres." Further Article 10 (25) recognizes CEDAW as a deemed law of the Kingdom.

34. Acknowledging the concerns raised in the Concluding Observation of the 7th Periodic Report, the NCWC and its partners, keeping the above mentioned Articles as the basis have been increasingly advocating on the understanding, interpretation and implementation of all forms of discrimination. Article 1 of CEDAW has been established as the basis of understanding discrimination between a man and a woman.

35. Efforts are being made to review relevant laws to align the definition of discrimination with Article 1 of CEDAW wherever appropriate. A good example worth mentioning is the Domestic Violence Prevention Act of Bhutan, 2013 (DVPA). While the DVPA in itself may not contain a comprehensive definition of discrimination, it however acknowledges the fact that women are more affected and therefore mandates measures that suits and best responds to the needs of women in such a situation.

Article 2: Legislative, Policy and Other Measures to ensure that women exercise their rights

Constitution of the Kingdom of Bhutan 2008

36. The Constitution, under Article 7 bestows equal Fundamental Rights for both women and men as a Bhutanese Citizen. Further, under Article 8 Fundamental Duties, every Bhutanese citizen is mandated to prevent and not tolerate amongst others, abuse of women and children.

37. The Fundamental Rights enshrined in the Constitution, Article 7 (15) to (21) in particular specifically guarantees equal protection before the law as a Fundamental Right. Further, Article 7 (23) confers the right to initiate proceedings at the higher authorities of justice like the High Court and the Supreme Court for the enforcement of rights conferred upon as fundamental rights with prescribed conditions.

38. Article 9 (17) of the Constitution, Principles of State Policies states that "The State shall endeavor to take appropriate measures to eliminate all forms of discrimination and exploitation against women including trafficking, prostitution, abuse, violence, harassment and intimidation at work in both public and private

spheres." It presents the intention of the state on non-discrimination. Article 9 (18) states the same for children. It provides the legal basis to protect women and girl child against all forms of discrimination.

39. Article 10 (25) of the Constitution recognizes CEDAW and other relevant conventions that Bhutan is a party to as deemed by the law of the Kingdom.

40. The above mentioned and many other laws take non-discriminatory stand towards women, that will be detailed in the following Articles. Therefore the existence of non-discriminatory laws becomes a basis for sensitive, responsive and non-discriminatory measures.

The Child Care and Protection Act 2011 (CCPA)

41. The Child Care and Protection Act (CCPA) is in line with the four basic principles of the Conventions on the Rights of Child (CRC). It categorizes child care and child protection in difficult circumstances and child in conflict with the law. It also mandates the state as a responsible authority to ensure protection of the rights of child from all forms of abuse. It also highlights the responsibilities of a child.

42. Section 224 of the CCPA defines child trafficking in the most comprehensive and inclusive manner as "person shall be guilty of trafficking of a child if a person recruits, transport, transfer, harbour or procure a child by means of threat, use of force, coercion, abduction, fraud, deception, abuse of power, position of vulnerability, transaction involving payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. The offence of trafficking of a child shall be a felony of third degree."

The Penal Code (Amendment) Act of Bhutan 2011 (PCB)

43. The PCB was amended at the 7th Session of the First Parliament of Bhutan on May 24, 2011. Amongst others, the amendment focused on the act and offences related to rape. The penalties have been enhanced now ranging from felony of a second degree for the offence of a gang rape of a child above the age of sixteen and below eighteen, and the offence of the rape of a child above the age of twelve years; first degree for the offence of a gang rape of a child above the age of twelve years and below sixteen years, and the offence of statutory rape, and life imprisonment for the offence of gang rape of a child of twelve years and below.

44. Further, the act of rape in Section 177 has been amended as "A person shall be guilty of the offence of rape if the defendant commits any act of sexual intercourse whatever its nature against any other person." Similarly Section 181 is now amended to "A defendant shall be guilty of the offence of statutory rape, if the defendant engages in any act of sexual intercourse whatever its nature with a child below twelve years of age, or an incompetent person, either with or without knowledge of the other person being a child or an incompetent person." The amendments as highlighted above eliminates situational or circumstantial deviation of justice

45. A new insertion in the amendment is "A defendant shall be guilty of the offence of unauthorized disclosure of identity if the defendant discloses the identity of a rape victim in the media without the consent of the victim."

The Domestic Violence Prevention Act 2013 (DVPA)

46. The DVPA is an appropriate legislative measure that recognizes that women constitute a majority of the victims/survivors. It defines the act of domestic violence and its scope. The law mandates establishment of appropriate procedures and services that are required to adequately support the victims and hold the perpetrators accountable.

47. The DVPA mandates requirements and responsibilities for the National Women's Machinery, stakeholder partners, civil society organizations, law enforcement agencies, local governments, communities and individuals. Further, it mandates provision of protection for victims.

48. Recognizing alcohol and intoxication as a recurrent factor in triggering domestic violence, the DVPA responds to any act to domestic violence under intoxication as an aggravating factor for penalty.

The Parliament: (Response to paragraph 10 of the Concluding Observations on the 7th Periodic Report, CEDAW)

49. The two houses of Parliament, the National Assembly and the National Council, constituted 17 committees such as the Human Rights Committee; Women, Children and Gender Issues Committee; Good Governance Committee; Social and Cultural Affairs Committee among others. These Committees are central to the operation of both the houses and provides an avenue for the Parliamentarians to examine complex policy matters and at the same time gauge public opinion.

50. Further, such committees proactively consult with the NCWC and other relevant agencies, during the National Assembly sessions to ensure that the relevant issues are tabled, discussed and resolved. To highlight a few examples; the Domestic Violence Prevention Act 2013, when tabled was comprehensively consulted with the NCWC and accordingly debated during the parliament sessions. The relevant committees also supported the NCWC and women's empowerment endeavour by seeking information on the implementation status of the National Plan of Action for Gender (NPAG) 2008-2013, thereby pushing for adequate budget allocations for women's empowerment programs which in some ways contributed to the overall Gender Responsive Planning and Budgeting initiative (GRPB).

51. Another proactive initiative has been inviting relevant agencies to make presentations to the committees on the pertinent laws, policies, programs, status, issues and challenges for their understanding. On the part of agencies like the NCWC, Members of the Parliament are invited to the events organized by NCWC. So far there has been a consistent and meaningful representation by the Members of the Parliament.

Policy Measures of the State

52. The overall policy protocol of the Royal Government provides scope for incorporating gender perspective in the policy formulation processes. While most policy statements remain gender neutral, the presence of a gender equality variable in the Gross National Happiness (GNH) policy screening tool, to a large extent ensures that any negative impacts of a policy on gender equality is eliminated.

53. The Mainstreaming Reference Group (MRG) was instituted in 2012 by an executive order from the Honourable Prime Minister to support mainstreaming of five cross-cutting issues, including gender in policies, plans and programs at all levels of the government and non-governmental agencies. MRG has already conducted several mainstreaming sensitization workshops and trainings and has facilitated mainstreaming exercises for all local governments. Based on these activities, a mainstreaming framework has been developed to inform and guide the central agencies and the Local Governments (LGs) in the formulation of an integrated, sustainable and smarter 11 FYP and annual plans.

54. Para 7.3.2 of the Economic Development Policy (EDP) of Bhutan 2010 states that "The Royal Government shall promote Cottage Small and Medium Industries (CSMI) to generate employment, support equitable distribution of income and bring about a balanced regional development. Special focus on women's enterprises shall be given within the CSMI industries development framework."

55. The National Human Resource Development Policy 2010 (NHRD) also targets to address the specific needs of women to ensure that they participate and benefit from the technical and vocational training programs.

56. The Renewable Natural Resource Research Policy of Bhutan, 2011, acknowledges international Convention like CEDAW and CRC. The policy therefore intends to ensure participation of women in RNR research and decision making, thereby including their needs into it.

57. The CSMI Policy 2012, in line with the EDP 2010 targets to "Implement effective Micro Finance Institutions (MFI), consistent with the RGoB's Financial Inclusion Policy, especially with a focus on economic development, gender equality and poverty reduction in the rural areas". In the same policy, it also aims to "Promote women entrepreneurship to maximise the economic contribution of both genders and raise the relevance and quality of Technical & Vocational Education".

58. The National Employment Policy (NEP) 2012 intends to enhance female enrolment in tertiary education through provision of adequate infrastructure and facilities including hostels. It also targets to encourage greater women participation in the labour force and decision making bodies. Further it also emphasizes on the importance of awareness and to advocate for gender equality in the means of employment. It targets to create employment opportunities for women.

59. The National Health Policy of the Kingdom of Bhutan (NHP) declares itself as a gender sensitive policy. The policy highlights and states on the importance of partnership through which gender responsive plans and programs can be developed. The policy intends to establish user friendly facilities and adequate infrastructure including women's needs. From a maternal and child health perspective, it provides for a free and equitable access to safe, quality and cost effective vaccines for children and pregnant women.

60. One guiding principle of the Food and Nutrition Security Policy of the Kingdom of Bhutan 2014 (FNS) is gender sensitivity and social inclusion. It acknowledges the impact of lack of adequate food and nutrition on women and children. Accordingly, in a targeted manner, it prescribes measures to enhance access to adequate food and nutrition for women.

Development Plans

61. Nu. 135.02 million was allocated for the NCWC in the 10th FYP, whereas in the 11th FYP, it stood at Nu. 154.07 million. This is an increase of about Nu. 19 million.

62. The 10th FYP had evident efforts being made towards gender mainstreaming and recognizing gender as a cross-cutting theme in the 10th FYP. It was simultaneously supported by the NPAG, which enabled sectors to identify gender issues and accordingly address it. The NCWC in collaboration with the Gross National Happiness Commission (GNHC) responsibly coordinated the implementation of the NPAG. The NPAG identified seven critical areas of concern for intervention, with activities outlined against each responsible agency. Recently a review was conducted on the implementation status of the NPAG, based on which the NCWC will reemphasize on the areas of concern which are still relevant and requires address.

63. The main focus of the 11th FYP is on "Self Reliance and Inclusive Green Socio Economic Development". At the national level, based on the pillar of Good Governance, the 11th FYP has specific National Key Result Area targeting gender equality, i.e., "Gender Friendly Environment for women's participation". In this regard, gender mainstreaming has been emphasized as a key cross cutting issue in the development plans and also being identified as a necessary consideration in the pursuit of GNH. By including gender responsive performance indicators, this ensures monitoring of the plan achievements by sectors from a gender perspective. The 11th FYP has made a more concerted effort towards realization and inclusion of gender equality in the planning cycle. The plan also identifies GRPB as a tool to strengthen gender mainstreaming.

64. To ensure that the mainstreamed plans are implemented, a GRPB strategy has been endorsed and a training manual finalized. As a start, in preparation of the 2013/14 fiscal year budget, sectors, through the budget notification were encouraged to incorporate activities pertaining to gender equality in the budget call circulars. In line with these developments, in the fiscal year 2013/14's National Budget Report, for the first time, allocation for women's empowerment programs were mentioned specifically. Simultaneously, three sectors, Agriculture, Education and Health have been identified to pilot GRPB in a comprehensive manner.

65. In the FY 2014/15, Nu.225.208 million is being allocated for activities related to gender equality promotion. The allocation includes NWM, Reproductive Health Programs, Special Education Program, Non-formal Education programs and the Women and Child Protection Services for RBP. The identification of specific allocation in the programs, will ease tracking expenditures on the same lines. This, for a start, has been a good achievement in engendering the public finance system in Bhutan.

66. Other efforts being made are towards gender mainstreaming the Local Development Planning Manual (LDPM). The LDPM is the primary document that guides plan formulation at the local levels, including communities.

Article 3: Institutional Measures (Includes response to Paragraph 13, Concluding Observations, 7th Periodic Report, CEDAW)

National Machinery — National Commission for Women and Children

67. In line with the change in the Government in 2013, the Commission also underwent a significant change, with the Chairperson and members resigning upon completion of their tenure. The Secretariat, identifying the opportunity for a stronger Commission, submitted a detailed report on the revised vision, mission, objectives and functions and justified the need to form a higher level representation on the Commission. While there was a little deviation, the Cabinet approved a strong Commission. The members comprise of the Government Secretaries, the Judiciary, Local Government, Royal Bhutan Police, Parliament, Civil Society Organizations and the Private Sector. Lyonpo Dorji Choden, the first female Minister and the Minister for Works and Human Settlement, was appointed as the Chairperson of the Commission.

68. Since the last reporting, NCWC has been strengthened significantly. From just three permanent officer level staff including the Executive Director, at present the NCWC is staffed with 10 permanent officials. The head of the secretariat is a Director General. The program divisions are staffed with two permanent officers each. The legal unit consists of two legal professionals. A research officer and information, communication and technology officer has been appointed. The administration and finance division is also adequately staffed with an administration, human resource, finance, accounts and support personnel. Further, appointment of two additional staffs has been approved by the Royal Civil Service Commission (RCSC).

69. The NCWC Secretariat with an increased number of human resource, conducted in house workshops to delineate clearer roles and responsibilities both at the organization and the program levels. Therefore, NCWC now has a vision, mission, objectives and functions in place that is in line with the expanded and elaborate mandates with which it was established. The vision, mission, objectives and functions are attached as an annex.

70. The program divisions complement each other's initiatives, thereby making an optimal use of the limited resources. The Legal Unit functions in close coordination with the concerned program divisions on the enactment of the relevant legislation, case management and facilitation. The research unit supports the program divisions in information gathering and validation while the ICT ensures the smooth transmission and use of information and communication.

71. The NCWC prioritizes strengthening its Gender Focal Persons (GFP) network in the current development plan (11th FYP), 2013-2018. Accordingly, since July 2013, the NCWC has made efforts to revitalize the GFP network at the Dzongkhag level, by inviting and having them participate at the capacity building and consultation programs. The current Commission has also directed the Secretariat to seek reappointment of GFPs at the Dzongkhag level of which the process is underway. Furthermore, the NCWC Secretariat is also targeting appointment of GFPs in the 205 Gewogs (blocks) by 2016. The capacities of the GFPs have been developed and refreshed at regular intervals. Significant capacity development programs includes 34 GFPs trained in two batches in Denmark in 2009, 14 in Sri

Lanka in 2012 and 6 in the Philippines in 2013. Furthermore in country trainings, conferences and meetings are held regularly on an annual basis.

72. Given the neutrality approach of Bhutan in its development planning and resourcing, it has been a challenge to accurately categorize the share of national budget for gender equality interventions. However, since the establishment of a NWM in 2004, it has been relatively easier to compute the resources directly allocated for women's empowerment initiatives. Bhutan has also witnessed an incremental trend in the budget allocation for the NWM. Comparing the budget in 2008 to 2014, there is an increase of about 30%.

Royal Bhutan Police

73. The Women and Child protection unit is now upgraded to a division at the headquarters headed by a Superintendent. Accordingly, the WCPU services have now been established in 9 Dzongkhags, three as units and six as desks. The services cut across all the regions in the country. The division works closely with the NCWC creating awareness and advocating on the prevention of domestic violence including the police fraternity.

74. The Royal Bhutan Police also started the Friends of Police (FOP) initiative on 1st September, 2012. This is a police public partnership, which envisions community policing responsibilities. Amongst others, preventing domestic violence through awareness and reporting is one of the responsibilities of the FOP. Currently, the FOP network is existent in all 20 Dzongkhags of the country.

75. Recognizing the need for a responsive program attending to the needs of the women prisoners, the Royal Bhutan Police, upon the command of His Majesty the King and in collaboration with the Ministry of Agriculture and Forests (MoFA), developed a project on agriculture based female open air prison. In July 2013, the female open air prison was launched with 52 inmates transferred to such a facility. The initiative is the first of its kind in Bhutan.

The Bhutan National Legal Institute (BNLI)

76. The Bhutan National Legal Institute (BNLI) was established in 2011, as an independent legal entity under the Judicial Service Act of 2007. It is a centre devoted to providing continuing judicial and legal education through training, professional development, research, publication and dissemination programs to foster desirable traits, values and attitudes for promoting a fair, just and an efficient justice system.

77. Since its establishment, the BNLI over the years has been continuously engaged in conducting awareness, orientation, training and consultation programs on law and its practice. In particular, the BNLI organized and conducted trainings on women and child friendly procedures for the judges, registrars and bench clerks in Bhutan.

78. Women were identified as an effective mediator during the Alternative Dispute Resolution (ADR) trainings to 205 local government functionaries conducted by the BNLI. Accordingly, the BNLI in August 2013 followed it up with further trainings targeting the local women leaders. Besides, the BNLI, initiated integration of women and child components into the ADR training programs.

79. The BNLI in 2014 coordinated a consultation for the Judges of the Dzongkhag courts, the Royal Bhutan Police, CSOs working on women and children issues, the NCWC and the media. The consultation was mainly to understand the challenges faced by the various actors and to identify areas for collaboration for enhanced delivery of justice for women and children.

The Civil Society Organizations

80. Article 9 (3, 5 and 6) of the Constitution mandates the State to create a civil society.

81. CSOs are growing in strength and play an increasingly important role in the society. Most CSOs in Bhutan work to help the economically marginalized and the vulnerable groups and to this effect have also been active in some areas of policy formulation. Additionally, there are also Community Based Organizations which are informal and voluntary. There are rural community groups which also work in the interest of the vulnerable groups.

82. With the Civil Society Organizations Act of 2007, a Civil Society Organizations Authority was established in 2009 with Rules and Regulations that provide the framework for the establishment, functioning and monitoring of the CSOs. The legal framework stipulates that the CSOs shall operate in constructive partnership with the Government "to advance public interest socio-economically, culturally and environmentally" and to "fulfil the Government's policies and programs". Since the CSO Authority was established, 38 CSOs have been registered, which include both public and mutual benefit organizations.

83. The CSO Authority through the CSO Fund Facility Window, created with funds pooled from our development partners, has provided funding grants of Nu. 50 million to over 75% of the registered CSOs to enable implementation of their organizational mandates. Similarly, over 20 unregistered CSOs have also been provided with substantial financial grants.

84. CSOs like the TARAYANA, the Youth Development Fund (YDF), Respect, Educate Nurture Educate Women (RENEW) and the LODEN Foundation continues to work on issues related to rural livelihoods and violence against women respectively. Over the years their strength, both in terms of institutional establishment and reach has strengthened. New and aspiring CSOs like the Bhutan Association of Women Entrepreneurs (BAOWE), SAARC Business Association of Home Based Workers (SABAH) Bhutan and the Bhutan Network for Empowerment of Women (BNEW) have emerged and made impacts towards empowering women. Other non-governmental organization like the Bhutan Nuns Foundations (BNF) has also been ensuring on the protection of the rights of nuns in Bhutan.

Research and Surveys

85. Several studies have been commissioned and conducted over the time period. Studies were conducted in the areas of political participation, stereotypes and prejudices, violence against women, economic empowerment, education, trade, gender statistics, and participation in the civil service, disaster risk reduction, unemployment factors and environment. These studies have contributed towards establishing the current situation of women in Bhutan and analysing the environment and dynamics that work for or against their rights. The studies,

identifying the pros and cons in de jure vis-à-vis de facto levels have hugely supported in initiating interventions from all fronts in the various sectors. The Bhutan Gender Equality Diagnostic study for the Selected Sectors (BGEDSS) carried out in 2014 is another significant study that explores and establishes gender issues in the areas of urban development, transport, energy, agriculture and rural livelihoods, and private sector development.

86. Routine national research initiatives like the Statistical Yearbook of Bhutan (SYB), Labour Force Survey (LFS), the Bhutan Living Standard Survey (BLSS), Annual Education Statistics (AES) and the Annual Health Bulletins (AHB) have increasingly supported the generation of a sex-disaggregated data at the lowest levels. The sex-disaggregated data has tremendously helped in bringing about targeted reforms in the sectors concerned. Apparently, today there is gender parity in the primary and secondary education. The maternal mortality rates have drastically reduced, the unemployment rates are falling and access to basic livelihood is improving for women.

Capacity Development and Awareness

87. To ensure the smooth implementation of the NPAG and the 10th Plan, capacity development programs, both in country and ex-country were conducted on an annual basis. Since 2009, 5 batches of ex-country training programs for the GFPs have been conducted, comprising of about 60 people including Dzongkhag planning officers and planning officers in the central agencies who were not GFPs. In country trainings, both basic and refresher level trainings are being conducted on an annual basis. Annual meetings for the GFPs are also conducted to take stock of the plan implementation and in identifying challenges and ways and means to address them.

88. Since 2008, a number of focused and targeted trainings were conducted for the concerned sectors. Trainings on CEDAW were conducted twice and once for a sex-disaggregated data analysis. Trainings on legislation review and drafting was carried out twice while exposure visits for the direct service provisions targeting law enforcement agencies and NGOS were carried out twice. Two trainings were carried out on women and child friendly procedures for law enforcement and judiciary while five trainings and exposure visits were conducted on GRPB.

89. Awareness and sensitization programs were also organized at all levels during regular intervals. The High level sensitization program in 2010 was participated by the Prime Minister, Cabinet Ministers, Government Secretaries, Parliamentarians, Judges, Constitutional Office Bearers and Executives from across all agencies. Such programs succeeded in creating awareness and in reassuring support from the highest levels of the legislative, executive and the judiciary. Such programs are also conducted for the private sectors, NGOs and the government officials at the implementation levels.

90. Three multi stakeholder forums were conducted from 2012-2014 addressing different themes. The themes were access to credit in 2012 with participation from the targeted banks, financial institutions and women entrepreneurs. In 2013, the forum focused on access to skills that had significant participation from the vocational and technical training institutes besides others. The third, which was recently organized in 2014, was on an enabling environment that was directly associated to enhancing women's participation and empowerment. These forums

had more than 100 participants each on an average with wide media coverage. The outcomes from the forums were documented and being used for planning activities.

91. In collaboration with the key stakeholders, agencies and CSOs. international days' of relevance were also observed. The international days include International Women's Day, International Day to Eliminate Violence Against Women, International Day of the Girl Child, Child Labour Day and State of the World Children Report. Observing such international days have contributed in enhancing awareness on the issues of the rights of women and the girl child.

Article 4: Temporary Special Measures (Includes response to Paragraph 16, Concluding Observations, 7th Periodic Report, CEDAW)

92. As evident from the numerous studies commissioned by the NCWC, namely the "Gender Stereotypes and Women's Political Participation, 2008," "Participation of Women in 2011 Local Government Elections" and the recent BGEDSS, woman's prospects for full participation in all spheres are directly or indirectly limited due to the existing inequalities rising from the social and cultural factors thereby affecting full representation of women.

93. The Constitution of the Kingdom of Bhutan 2008 mandates the individuals, communities and the state to eliminate discrimination against women. While not temporary, it is a special measure, recognizing atrocities against women as a crime against the state.

94. The NPAG (2008-2013) was a form of special measure, which intended to supplement the 10th FYP mainly by mainstreaming gender and its implementation. While it followed the goals of the overall national plan, it was a focused approach to ensure that gender targets were not undermined. The existence of the NPAG contributed towards accelerated gender mainstreaming endeavours in Bhutan.

95. In the 11th FYP gender has been mainstreamed from a planning perspective in a more significant way. The NCWC, in line with the NPAG in the 10th FYP, maintains a strategic plan to ensure that the gender equality targets of the 11th FYP plan are achieved. It is a consultative effort, identifying areas and activities that require focused attention to ensure empowerment of women.

96. A radical and evident indicator in the plan is the 'draft legislation to ensure quota for women in elected offices including the parliament and local government bodies'. This is a special measure and will be temporary until the target representation of women is being met.

97. Subsequently, measures have been taken and the draft National Action Plan to Promote Gender Equality in Elected Offices has been formulated and submitted to the Cabinet. Any intervention that may be adopted, mainly in the form of a legislation will be temporary, with a special target to enhance women's participation in elected offices and for a time period.

98. No specific legislation that provides for the adoption and implementation of temporary special measures are in place. Nevertheless, in the process of formulating the draft national plan of action to promote gender equality in elected offices, multiple and massive consultations have been conducted to take stock on the need

and recognition of temporary special measures. This has contributed to enhanced awareness on the importance and need through the participation of men and women from all strata. Further, these consultations also received due and proper coverage in various forms of media.

99. Labour protection offices have been established in the country which includes Five Regional Offices and one field office. Given the large employment opportunities and temporary settlements resulting from large projects, and foreseeing the possibility of exploitation of women and other vulnerable groups, these establishments, are set up as measures to curb any form of exploitation and other discriminatory practices.

100. In other spheres, mainly non-elected, Bhutan maintains a merit based system of participation, as per the constitutional mandate. However, to ensure that no form of discrimination occurs, regular monitoring and awareness programs are conducted.

Article 5: Social and Cultural Patterns (Includes response to Paragraph 24, Concluding Observations, 7th Periodic Report, CEDAW)

101. Bhutan has witnessed a considerable amount of change in perception and behaviour. Derogatory vocabulary and proverbs that are discriminatory against women are slowly disappearing from being used in all spheres. The news media is adapting sensitive reporting while the broadcast media is also becoming sensitive in the portrayal of gender roles. The legislations, policies, plans and projects are increasingly incorporating and integrating women's needs and participation into the mainstream.

102. The NPAG identified prejudices and stereotypes as a key area of concern and accordingly identified interventions to curb its negative impact on women's empowerment initiatives. But it still remains to be one of the most challenging areas, mainly because of intangible results and the time it takes to impact on the perception and behavioural patterns.

103. Focused studies were conducted in this reporting period targeted towards building evidences that supports informed decision making, public awareness and stronger advocacy. Studies such as "Gender Stereotypes and Women's Political Participation, 2008", directly evaluated how each affected the other. The "Bhutan Multiple Indicator Survey, 2010" (BMIS) pointed that 68.4% of women accepted that the act of domestic violence was justified. The "Participation of Women in the Local Government Elections of 2011" was another study that clearly identified stereotypes as a constraint. The "Gender Policy Note, 2013" highlighted how empowerment of women can enhance GDP while the BGEDSS highlighted how stereotypes impacted women's empowerment in the eight sectors it assessed.

104. The NCWC in 2008 discussed issues and sensitized the media on the code of conduct and ethics on reporting on women and children. Since then the NCWC has forwarded the guidelines to the Bhutan Info Comm. and Media Authority (BICMA) for incorporation in the media act. Use of mass media, especially post media act and the foreseen emergence of even more media participation, will be extended and strengthened, especially in the far flung and remote areas to raise awareness of

women and empower them through advocacy and public awareness campaigns. Feature stories on women and of the already established women in the leadership position will be made to set an example for others and to challenge stereotypes. The media today in the form of magazines, newspaper supplements, and advertisements have increasingly and regularly focused on issues of violence against women, women in politics and socio-cultural stereotypes.

105. In 2009, the Chief Justice of Bhutan led a massive awareness campaign on CEDAW and CRC in the eastern region. This was followed by another campaign by the then Home Minister in the central region. Since 2010, targeted awareness programs have been conducted for over 1000 participants. This included law makers, policy makers, development practitioners, private sector, media and CSOs. In 2011, functionaries from all the 205 local government offices were trained and made aware on gender and development approaches. While the focus of these programs have been morals, ethics and civic duties, it also highlighted on women's empowerment and participation as a necessary and rational input for development and growth.

106. Advocacy and awareness messages are being communicated through adequate distribution of the materials such as posters, brochures and stickers. Since 2012, materials on the rights of women, importance of gender equality, women's political representation and NCWC's functions were widely distributed. On the electoral front, audio visual programs on the importance of women's representation in the elected offices and to vote were regularly broadcast on the national television, the Bhutan Broad casting Service (BBS).

107. Education is the biggest avenue for women's socio-economic empowerment. Therefore, in 2014, the Ministry of Education (MoE) made direct efforts in introducing a gender responsive classroom by training teachers from various schools and teacher resource centres. Till date, 197 teachers have participated in such trainings. The trainings covered socialization processes and gender stereotypes besides others.

108. The 2014 Multi Stakeholder forum event had a module on socio-cultural practices and its impacts on women's participation. The module, strategically included speakers from religious bodies, cultural institutes and local governments. The event was widely covered by the national television, with more than 100 in house participants. It was successful in disseminating the message that religion had no gender biases whatsoever and that the existing culture practices, with awareness and development, will reform itself.

109. The RBP training curricula includes laws related to women and children and procedures in responding to the needs of women and children. In 2014, the RBP instituted an award system for police cadets that also feature an award on the cadet demonstrating best women and child friendly procedures.

110. Supported by the UNFPA, a Gender Based Violence Information Management System (GBVIMS) has been initiated by RENEW. It was launched in 2013. The system is expected to support effective case management (record keeping and follow up).

111. In 2014, the Bhutan Media Foundation (BMF) in collaboration with RENEW conducted a training for media on sensitive reporting from a VAW perspective with

the objective of mitigating the scope of sensational reporting aggravating stereotypes and discrimination.

112. The NCWC in 2014 also organized multi stakeholder discussions, which included learned scholars on religion and culture. Through such discussions messages were relayed that religion per se promotes equality and that there is a need for equal treatment of women from a religious perspective. Such programs are conducted at the centre thereby receiving adequate media coverage, which assists in the further dissemination of information to the grassroots.

113. RENEW's Gawaling Shelter Home is the first of its kind in the country where women and children are provided with a safe home inclusive of various rehabilitation programs. The shelter became fully operational in 2012 and has provided shelter services to more than 200 women and about 100 children till date. The shelter also provides facilities on Early Childhood Care and Development (ECCD) for children living in the shelter as well for children of Sisina community. In collaboration with the MoE, the shelter also serves as a NFE centre for women living in the shelter and for the communities nearby.

114. Women's Empowerment and Gender Equality Programs in Bhutan are primarily initiated in Bhutan based on CEDAW. Therefore, assistance, both financial and technical is continuously availed from the relevant UN agencies, mainly the UNDP, UNFPA and UNW. Furthermore, in the current UNDAF cycle (2013-2018), Bhutan and UN jointly has an outcome dedicated to gender equality and child protection.

115. The UNESCAP Statistics Division collaborated with the National Statistical Bureau on the in-country needs assessment on the status of gender statistics and the capacity of the National Statistical System to produce gender statistics in Bhutan.

116. In 2013, the World Bank provided support to the NCWC in producing the Bhutan Gender Policy Note. This document focuses on aspects of the economic empowerment of both men and women, applying the analytical framework of the 2012 World Development Report on Gender and Development.

117. In 2013, the Asian Development Bank collaborated with the NCWC and UN Bhutan on the BGEDSS. The report reviews gender issues in the eight selected sectors, jointly identified by all as either requiring analysis or review of the situation, and was launched in August 2014.

Article 6: Trafficking (Includes response to Paragraph 22, Concluding Observations, 7th Periodic Report, CEDAW)

118. While trafficking is still not evidenced as a grave issue in Bhutan, reports in the media indicate prevalence of trafficking. The Constitution under article 9 (17) protects and provides safeguards against all forms of discrimination and exploitation including trafficking and prostitution. Accordingly, efforts have been made to put in both from a programmatic and legal perspective to take preventive measures to combat trafficking in Bhutan.

119. Considering the need to understand and take preventive measures, the first consultative meeting on trafficking was in held in 2009. The main objective of the meeting was to create a common understanding among the key stakeholders on how

human trafficking is to be understood, to create awareness among the stakeholders on the fact that Bhutan is a party to major international and regional conventions, to outline what are the areas of intervention to combat trafficking and to formulate a Standard Operating Procedure (SOP). The meeting, amongst others was attended by key officials from the Ministry of Home and Cultural Affairs (MoHCA), Ministry of Foreign Affairs (MoFA), Ministry of Labour and Human Resources (MoLHR), Office of the Attorney General and the Royal Bhutan Police. The meeting resulted in a set of recommendations, which was further recommended for implementation from the High Level Sensitization Workshop on Gender Mainstreaming conducted in June 2010. A draft SOP was also formulated.

120. A three day meeting was held to finalize the SOP in October 2010. Senior officials from the Bureau of Law and Order (BLO), Department of Immigration (DOI), Ministry of Labour and Human Resources, NCWC and partners from India (NEDAN Foundation) attended the meeting. The meeting finalized the SOP, which was submitted to the Ministry of Home and Cultural Affairs, BLO in particular for further review and endorsement.

121. In the same year, 2010, December, a two day workshop, as a follow up to the first consultation was conducted. Representatives from the same organizations were invited given the relevance and to maintain continuity. The main objective was to take stock of the implementation on the set of recommendations from the consultation made in 2009. To expedite implementation, a plan of action was drawn, with identified responsible agencies and a time frame.

122. The NCWC conducted a focused assessment on the situation of Human Trafficking in Bhutan in 2011. The study amongst others reviewed the legal and operational framework, prevalence, causes and suggested recommendations.

123. Based on the findings of the situational analysis study, an exercise to map partners within and outside the country was also held in December 2011. It clearly delineated responsibilities for concerned agencies under categories of prevention, protection and prosecution. The exercise to map partners, at the moment, when required is used as the mechanism to prevent and combat human trafficking in Bhutan.

124. Since lack of awareness and capacity had been identified as a significant challenge to combat trafficking, the NCWC in collaboration with development and stakeholder partners conducted targeted awareness and capacity building programs on an annual basis since 2012. Till date, 31 police personnel, 43 immigration officials and transporters at large have been trained and sensitized.

125. Given the enhanced awareness and the apparent recognition of trafficking as a grave violation of rights, the NCWC in collaboration with key partner agencies is now in the process of implementing a project focused on combating human trafficking. The project kick started in July 2014 and will run through a period of three years. It is supported through the United Nations Office on Drugs and Crime (UNODC).

126. The definition of Trafficking has been reviewed and where necessary amended in line with relevant international conventions.

127. Section 154 of the Penal Code (Amendment) Act of Bhutan 2011, reviewed and expanded the definition of Trafficking as "A defendant shall be guilty of the

offence of trafficking a person if the defendant recruits, transports, sells or buys, harbors or receives a person through the use of threat or force or deception within, into or outside of Bhutan for any illegal purpose." The offence of trafficking a person is a felony of fourth degree and a defendant convicted of a felony of fourth degree shall be sentenced to a term of imprisonment, a minimum of which shall be three years and a maximum of which shall be less than five years.

128. Section 224 of the Child Care and Protection Act of Bhutan 2011, defines trafficking of a child as "A person shall be guilty of trafficking of a child if a person recruits, transport, transfer, harbour or procure a child by means of threat, use of force, coercion, abduction, fraud, deception, abuse of power, position of vulnerability, transaction involving payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation." The offence of trafficking of a child shall be a felony of third degree. A defendant convicted of a felony of third degree shall be sentenced to a term of imprisonment, a minimum of which shall be five year and a maximum of which shall be less than nine years.

129. The Child Adoption Act of Bhutan 2012 in its preamble states that one of the objective of the Act is to prevent trafficking in children as "AND WHEREAS, it is envisioned and deemed necessary to take appropriate measures to ensure that the adoptions are made in the best interests of the child and provide for procedure and mechanism to facilitate monitoring the well-being of child and to prevent abduction, sale or trafficking in children".

130. RENEW also supports combating human trafficking. Till date, 5 trafficked women have availed shelter facility out of which three were non-national. RENEW also provides free legal aid and have supported repatriation of the victims to their families with the help of RBP.

Part II

Article 7: Political and public life

131. The Constitution provides the right to vote and to participate in any lawful profession as a fundamental right of every Bhutanese citizen. The Constitution also mandates the political parties' membership not to be based on sex amongst others. The Constitution under Article 23 on elections further emphasizes on the right to vote for every Bhutanese citizen above the age of 18. Under the same Article, it sets equal qualification and disqualification criteria for both male and female.

132. The Election Act 2008, further specifies the mandates of the constitution, in setting equal platforms for male and female, be it from a voter's perspective or from a candidate participating in the elections.

133. The voter composition in 2008 elections was 52% female from a total of 79.4% of the electorate exercising their franchise. In the 2013 general elections the female voter composition was 50.25%, which again is higher than the male voter composition. This clearly establishes women exercising their franchise more responsibly.

134. The Election Commission of Bhutan (ECB) has also advocated for women's participation by highlighting the importance of women in political representation

through advocacy materials like posters and audio-visual messages. Notable gender responsive activities and efforts are in the form of separate queues for males and females, and female voters with children being given priority over others during voting.

135. Aspiring CSOs like BNEW has conducted leadership training for women in the villages to encourage participation in the locally elected offices. In 2013, BNEW hosted a series of regional meetings in collaboration with the government agencies to raise awareness on the issue of women in politics and build leadership skills of aspiring female candidates.

136. In the National Assembly elections of 2008, from a total of 94 candidates contesting, 10 were female of which 4 were elected. In 2013 elections, from a total of 94 candidates, 11 were women, from which 4 were elected. In the National Council elections of 2008, 6 women and 46 men contested for 20 seats, of which, 4 women and 16 men were elected. In 2013, the National Council elections saw 5 women contesting vis-à-vis 62 men, of which, none of the women were elected. In the Local Government elections of 2011, 236 women contested for the various posts, of which 113 women were elected. Bhutan also has its first woman Minister in an unconventional sector of Works and Human Settlement appointed in 2013.

137. In the 11th FYP, as a key performance indicator of the National Key Result Area (NKRA)-Gender Friendly Environment for Women's Participation is a "draft legislation to ensure quota for women in the elected offices including parliament and local government bodies." Therefore, initiatives are being taken towards drafting the legislation.

138. The draft National Action Plan to promote Gender Equality in Elected Offices includes review of relevant legislations and formulation of new policies to respond to the need of equal representation of women. It also identifies implementation of programs with specific results targeting enhancing women's capacity and establishing supportive environment.

139. In the civil service, given the enabling and non-discriminatory environment provided by the Constitution, representation of women in the civil service continues to grow. The Civil Service Act of Bhutan, 2010, provides for safe and healthy working conditions to perform duties and equal opportunities for employment in the civil service.

140. The Bhutan Civil Service Regulations, 2012 also prescribes conditions that will favour women's participation in the civil service. Paid maternity leave for 3 months, breastfeeding hours up to 12 months are certain provisions in the rules that establish encouragement for women to join civil service. Further, paternity leave of 5 days is also admissible, which is an acknowledgement that men are equally responsible to contribute in child rearing responsibilities. It also states that in an event of both the husband and wife being civil servants, their simultaneous transfer to the same location, shall be facilitated, as far as possible. Significantly the BCSR 2012 also prohibits sexual harassment at workplaces.

141. As of 2014, significant post holders in the executive levels of the government are, one Secretary to the Government, two Ambassadors, one Dzongdag, two Director Generals, five Directors and nine Specialists. While the numbers may not be significant in absolute terms, the experience has been significant in breaking stereotypes and establishing role models. In addition, constitutional posts, like the

Chief Anti-Corruption Commissioner and an Election Commissioner are also held by women. Two Commissioners of the RCSC are also women of the total four Commissioners. As of 2014, women comprise 33.37% of the total civil servants in Bhutan as against 28% in the last report.

142. A guideline on the establishment of child care facilities at workplaces has also been drafted. This is as per the directives of the Cabinet. It indicates the government's acknowledgement of the challenges women face at workplaces and also recognizes the need to address these challenges. Further, it is an indication that women are a significant contributor to governance, development and growth.

143. At present, nine corporate establishments and the Prime Minister's Office have crèche facilities. The NCWC is collaborating with the Ministry of Information and Communication (MoIC) to establish another, which is envisaged to be a model crèche at workplace in Bhutan. These facilities have been established with the intention of creating an enabling environment for women to work.

144. Women continue to head most of the CSOs in Bhutan, particularly the ones related to women and children, and social issues. The CSOs significantly support the Royal Government in its endeavours to create an enabling environment to pursue the national goal of Gross National Happiness.

Article 8: Participation at the International Level

145. Given the fact that the state legislations and policies are non-discriminatory, every individual in Bhutan has the equal right to participate and represent the Royal Government and Bhutan at all levels. In the civil service, it is the relevance that determines an individual's participation at international forums and is considered as merit based. Bhutanese women are equally represented and included in the state delegations at all levels.

146. The Bhutan Chamber of Commerce and Industry (BCCI) have also been facilitating business development exposures mainly in handicraft and tourism businesses. Particularly, the trade fairs organized outside Bhutan since 2012 have seen more women with more than 90%.

147. Agency for Promotion of Indigenous Crafts (APIC) has also facilitated training and trade show to enhance employment for women particularly in the field of crafts development. 328 women were trained in improved production of crafts and supported 17 women to participate in national and international trade exhibitions in 2013.

Article 9: Nationality (Response to paragraph 36, Concluding Observations, 7th Periodic Report, CEDAW)

148. The issue of the people in the camps in eastern Nepal is not a typical refugee situation; it is a highly complex humanitarian problem with its genesis in illegal immigration. The political instability in Nepal has also made it very difficult to engage in serious bilateral talks with Nepal. Nevertheless Bhutan continues to engage with Nepal at regional and international gatherings and in the past one year, the Prime Ministers of Bhutan and Nepal met several times to discuss the issue.

149. The Royal Government appreciates the resettlement program initiated by the Core Group of Countries, led by the United States. The successful resettlement program will contribute towards finding a lasting solution to this complex humanitarian problem.

Part III

Article 10: Education (Includes response to Paragraph 26, Concluding Observations, 7th Periodic Report, CEDAW)

150. The general literacy rates, across all ages for male is 72% while it is only 55% for female as of 2013. Nevertheless, this is a significant increase as compared to 2007 that stood at 66% for male and 46% for female.

151. As of 2013, the total number of schools in the general education system consisted of 336 public primary schools, 12 private primary schools, 91 public lower secondary schools, one private lower secondary school, 59 public middle secondary schools, two private middle secondary schools, 36 public higher secondary schools, and 17 private higher secondary schools. In addition, there are 111 extended classrooms (ECRs), 165 ECCD centres and 8 special institutes offering special education.

152. As of 2013, the net primary enrolment ratio for girls was estimated at 96% as compared to 95% for boys. The Gender Parity Index stands at 1.01, which indicates that for every 100 boys there are 101 girls at the primary level. The national survival rate for girls in the primary education stands at 79.4% slightly exceeding that of the boys at 78.3%.

153. With the exception of the higher secondary level, girls' enrolment as a percentage of total school enrolment is about 50% at every level of general education. At the secondary level (VII-X), girls make up more than half (51.9%) of the total enrolment with a Gender Parity Index of 1.08. Girls' participation in the public higher secondary level (XI-XII) has increased from 32% in 2002 to 45.5% in 2013. As of 2013, girls make up 50.1% of the total enrolment in private secondary schools (VII-X).

154. ECCD emphasizes a holistic approach focusing on the child's physical, emotional, social and cognitive development, so as to nurture their physical and mental development and prepare them for school and life with the right attitudes and dispositions. As of March 2013, there are 165 ECCD Centres with 3,835 children (1877 are girls and 1958 are boys) and 330 teachers (12 male and 318 female). The CSOs equally contribute to such establishments of which 27 of the total are being funded by them. Also there are nine workplace based ECCDs, mainly in the corporate sectors.

155. Given the large walking distance as a factor for girls not being able to access education, the MoE has started to implement the concept of ECRs to take education closer to homes, thereby reducing the walking distance to school. The ECRs are located in the rural and remote parts of the country with difficult living conditions. As of 2013, there are 2,961 students enrolled in 111 ECRs. Without ECRs, these students would have been out of school, or had to either walk long distances or be enrolled in boarding schools to access education.

156. The increasing number of female teachers at all school levels has helped to boost the girls' enrolment and retention, by creating a conducive environment and also serving as role models. As of 2013, female teachers constitute 37% of the primary school teachers, 47% in the lower secondary schools, 44% in the middle secondary schools and 34% in the higher secondary schools.

157. The Comprehensive School Health Programme triggered and brought about behavioural changes on hygiene, iron supplementation, training of school health coordinators, etc. This has contributed to the increased attendance rates of students, especially for girls. In addition, all schools are provided with separate toilet facilities for girls and boys, thus addressing privacy and safety issues, and making schools more girl-friendly.

158. The continued provision of hostel facilities and midday meals through school feeding programme has been instrumental in enhancing girls' enrolment and retention in the remote areas. The World Food Programme (WFP) is the primary partner in providing support.

159. The Non Formal Education (NFE) program has expanded from over 750 centres in 2007 to 885 centres in 2013. It is acknowledged as an effective programme for providing basic literacy and functional skills for the adult population particularly in the rural areas and in reducing the gender gap in literacy. It is to be noted that almost 70% of the learners and the instructors in NFE programme constitutes women. The NFE programme graduates particularly the female graduates contested in the Local Government Elections of 2011. The CSOs also continue to provide support for the NFE programme in the form of space and facilities.

160. In order to institute a system of continuous learning and to provide school leavers with an opportunity to upgrade their academic qualification, the Continuous Education (CE) programme was initiated in 2006. It is targeted at providing opportunities for in-service persons and others who had discontinued their secondary studies for various reasons. As of 2013, this programme was available in 21 centres in the public and private higher secondary schools across 14 Dzongkhags and Thromdues (Municipalities). A total of 2,077 learners (1013 males and 1064 females) are currently enrolled in the CE programme compared to 148 learners (78 males and 70 females) in 2006.

161. All middle and higher secondary schools have counsellors to provide guidance for the students while the parents are being educated on adolescent issues and advocacy through the School Parenting Education and Awareness programme. At the same time, teachers and principals also play their part in encouraging children to remain in school. As a matter of policy, the government does not restrict pregnant and or married girls from continuing education in school but are rather persuaded to continue with their education by the counsellors and teachers.

162. The Educating for GNH programme includes and supports gender responsiveness in school education. The Ministry has initiated workshops on gender responsiveness in the classroom. This includes components on gender awareness and advocacy and how to ensure equal participation of boys and girls and working towards equal outcomes for both boys and girls in terms of quality of education.

163. Bhutan continues to maintain equality in other aspects of education. Office bearer's responsibilities in the schools are equally distributed between boys and

girls. Girls are given equal opportunity to access recreational and social facilities while in the schools.

164. Further, the CSOs also encourage scholarships for girl child so that more girls can attend school. Youth Development Fund (YDF) runs a scholarship scheme that is targeted only for girls in the provision of basic education, higher education and for under graduate courses. So far more than 20 girls have been provided with scholarship under this scheme since 2012.

165. The TARAYANA Foundation has scholarship programmes specifically for girls to pursue tertiary education in the region. A total of 20 girls are currently pursuing their higher education at several excellent universities in India, Bangladesh and Thailand.

166. Emphasizing on the importance of encouraging maximum number of students to undergo under graduate education, the Loden Foundation gives equal opportunity to male and female students based on merit. They also sponsor children (class PP-XII) with deprived financial background so that they are not restricted of their basic education, where in almost 50% of the beneficiary students are girls.

Article 11: Employment (Includes response to Paragraph 30, Concluding Observations, 7th Periodic Report, CEDAW)

167. The Constitution mandates exercising of equal fundamental rights for both men and women in Bhutan.

168. To support the implementation of the Labour and Employment Act 2007, two new related policies have been formulated and endorsed – the NHRD Policy, 2010 and the NEP, 2012. Both these policies include targeted approach towards ensuring women's employment.

169. As of 2013, the unemployment rate in Bhutan is 2.9%, of which, female is 3.7% and male is 2.2%. The labour force participation rate for male is 72.1% and for female it is 58.9%. The unemployment rates have reduced while the labour force participation rates have increased compared to the preceding years.

170. Focused programs were initiated to reduce the gap in employment. A total of 253 unemployed females were trained in Thimphu. 196 unemployed youth were trained in Beauty and Spa in India out of which 178 were female. All of them are currently employed in the renowned hotels and resorts in India. Under the Youth Employment Skills programmes, various targeted courses like, Early Childhood Care and Development, Sales Executives, Bakery, Commercial Cooking, Front Office, Food and Beverage Services, House Keeping, etc. are currently being delivered by the Private Training Providers with support from the Ministry. Out of 236 candidates undergoing training 167 are female.

171. To enhance employment opportunities, the Government has given significant emphasis on improving access to and quality of the vocational trainings for the last five years with establishment of new vocational training institutes, expanding the existing institutes, reviewing the curriculum and introduction of additional courses. As of 2013, there are 8 vocational training institutes with 136 (111 males, 25 females) teachers and 1102 students (655 males, 447 females).

172. A gender responsive curriculum guide for the Vocational Skills Development Program (VSDP), specially on trades such as tailoring, embroidery, repair of electrical and home based appliances and hairdressing have been developed and is being used for these programs.

173. In accordance to the Labour and Employment Act 2007, working conditions are being inspected on a regular basis to ensure that there is no discrimination between men and women.

174. The government has initiated Guaranteed Employment Program (GEP) to reduce youth unemployment to 5% by the end of fiscal year (2014/15). Since the start of the programme in July 2014, a total of 554 youths have been employed with various private enterprises, out of which 262 (47.3%) are female.

175. To gainfully employ the Bhutanese job seekers, the government has also initiated three Overseas Employment Program in 2013. This is governed by the Regulation on Bhutanese Overseas Employment Agent, 2013. The regulations specifically attempts to provide gender sensitive mechanisms to protect and safeguard the interests and rights of Bhutanese overseas workers.

176. The Labour Force Participation rate of female which has been consistently increasing till 2012, witnessed a decline from 63.2% in 2012 to 58.9% in 2013 as per the LFS 2013. In the absence of significant reasons for such decline, the Cabinet has directed a review of the data, based on which a study has been conducted to determine the factors influencing female unemployment.

177. Department of Cottage and Industry (DCSI) under the Ministry of Economic Affairs has undertaken numerous initiatives to create employment opportunities, particularly for women through skills development training and business advocacy workshop. As of 2013, DCSI has trained 14 women in advanced methods of paper making in eastern part of Bhutan and 11 women in upholstery and bamboo and cane furniture.

178. To sustain employment and enhance employment opportunities, the BCCI facilitated ex-country training programs through support mobilized from various bilateral and multilateral donor partners. A total of 30 women were sent for trainings abroad in 2012 and 2013 in various marketable fields like information technology, entrepreneurship, green energy and communication skills etc.

179. The YDF also established a vocational training institution targeting provision of vocational trainings to young girl school leavers. The Nazhoen Pelri Skills Development Centre was established in 2005 for young girls not qualified for higher education. These young girls are trained in producing quality souvenirs for a year. Since its inception, the centre has trained about 82 young girls. Today, most of these girls are employed or run their own businesses.

180. The Loden Foundation, under its Entrepreneurship Programme, which is in its sixth year has trained over 1000 aspiring entrepreneurs and funded over sixty entrepreneurs over a span of five years since 2008. Under the program, interest and collateral free loans are provided to the aspiring entrepreneurs. From the sixty three entrepreneurs that Loden Foundation supported, seventeen entrepreneurs are women who are doing exceedingly well all over the country who came up with innovative ideas of business like the tyre resoling, printing prayer flags, making local pickle (vegetarian), training institutes, bakery and dairy farms.

Child Labour (Response to Paragraph 32, Concluding Observations, 7th Periodic Report, CEDAW)

181. Children in Bhutan are engaged in some form of work, particularly by helping their parents with household chores and light tasks in the fields. Children also work during their school vacation to purchase school requirements by engaging in light works such as porter and being ticket collectors.

182. The Labour and Employment Act, 2007 mandates the Ministry of Labour and Human Resources to take the lead in combating child labour in the country. Child labour statistics were integrated with the labour force survey and was conducted recently.

183. Significantly in 2009, a month-long celebration was organized to mark the 20th CRC Anniversary. Awareness campaigns such as CRC sensitizations in schools, marathons and art exhibitions were organized throughout the nation. CRC information materials were printed and distributed. The highlight of the celebrations was the publication and distribution of the King's poster, which was personally autographed by the King. The poster also stated his commitment to the children and youth of Bhutan. The poster was launched by the Chief Abbot and distributed to all the schools and the general public. Over 1,100 children in 5 dzongkhags including Thimphu participated in the 20th CRC anniversary marathon while in Thimphu about 300 students, child monks, nuns, out of school and disabled children painted their ideas on child rights and concerns on huge canvasses at the town centre.

184. As per the Bhutan Multiple Indicator Survey, 2011, child labour is more common in the rural areas (22.2%) than in the urban areas (8.7%). In 2011, the Child Labour Task Force was formed with the main intention of bridging the gap within the child protection system issues and to enhance the coordination among the concerned agencies to combat child labour problem. In 2013, "A Handbook for Labour Inspectors Combating Child Labour in Bhutan" was developed and applied for final endorsement to the Ministry. Labour Inspectors were all trained on child labour and child rights issues in addition to being trained on ethical interviewing of children.

185. The CCPA 2011 clearly identifies children in difficult circumstances and provisions have been made under its Rules and Regulations for alternative care for children in difficult circumstances. Children involved in child labour will clearly fall under this category and may be provided care and protection according to the provisions.

186. As of 2013, MoLHR has setup four Regional Employment and Labour Offices and a field office. This is an indication of the strong commitment of the Government.

187. As a party to the CRC and its Optional Protocol, and relevant SAARC Conventions, the NCWC ensures that relevant international events are observed and given significant coverage. The NCWC on a regular basis also organizes and conducts awareness, sensitization and training programs on CRC.

Article 12: Health Care and Family Planning (Includes response to Paragraph 28, Concluding Observations, 7th Periodic Report, CEDAW)

188. Health care services in Bhutan are provided through a network of hospitals and BHUs at various tiers. A National Referral Hospital is located in Thimphu while there is a regional referral hospital each in the eastern and central regions. As of now there are 32 hospitals, 20 Basic Health Units I, and 185 Basic Health Unit IIs. There are also six military hospitals which provide health services to the general Bhutanese populace.

189. There are 11 gynaecologists (6 female and 5 male) and seven comprehensive emergency obstetrics and neonatal care in Bhutan. The basic emergency obstetrics and neonatal care are available in all the dzongkhag hospital and Basic Health Unit I.

190. The University Of Medical Sciences of Bhutan has started postgraduate residency training in MD General Practice, MS General Surgery, MS Ophthalmology, MD Paediatrics, MD Anaesthesiology and MS Gynaecology & Obstetrics from July 2014. A 150 bedded Mother Child Hospital in Thimphu is planned in the 11th Five Year Plan.

191. The health sector witnessed a drastic decrease in the MMR to 86 deaths per 100,000 live births in 2012 which is a decrease in 169 deaths from the rate in 2000 that stood at 255 deaths per 100,000 live births. Further, the number of births attended by the skilled heath workers increased from 10.9% in 1994 to 74.6% in 2012 and the number of institutional delivery increased from 19.8% in 2000 to 73.7% in 2012.

192. The National Health Survey (NHS) 2012 conducted by the Ministry of Health included the assessment of the prevalence of violence against women by both intimate and non-partners and women's attitude towards domestic violence.

193. As per the NHS, Antenatal care coverage, at least one visit (ANC 1+) is 97.9%, antenatal care coverage, at least four visits (ANC 4+) is 81.7%. The Adolescent birth rate (births per 1000 women of age to 19 years) witnessed a significant decline from 120.2% in 1994 and 61.7 % in 2000 to 28.4% in 2012.

194. The AHS also found out that 96.3% of women aged 15-49 years were aware of at least one modern contraceptive method that can either delay or prevent pregnancy. The most widely known family planning methods were male condom, injectable, pills, and male & female sterilizations, all of which are widely available in the country. Women were more familiar with modern methods of contraception than traditional methods (rhythm and withdrawal methods). Among the modern methods, women were least knowledgeable about emergency contraception (41%) and implant (6%). As per the BMIS 2010, the contraceptive prevalence rate is 65.6%, while the unmet need is 11.7%. This is a significant increase as compared to 50.7% in 2005.

195. The NHS found out that 73.2% of the girls aged 13 years and above have received HPV vaccinations. This is mainly due to the National Human Papilloma Virus vaccination campaign introduced in 2010, making Bhutan one of the few countries which have introduced it as part of the routine immunization program. Further, all women are required to do pap smear on a regular basis after delivery. As per the survey, 39% of the Bhutanese population lives less than half an hour from

the nearest facility, 32.9% within half an hour to one hour, while about 16% take one to two hours to get to the nearest health facility. Only 4.6% of the population lives at distances of more than 3 hours from the nearest health facility.

196. A survey to assess the current knowledge, attitude, practices and behaviour among the epidemiologically "vulnerable" groups of population including the Armed Forces, In and out of school youths and construction workers was carried out in 2012 by the Ministry of Health. It was aimed to determine the sexual risk and un-protective behaviours of the target population that may lead to the transmission of HIV/AIDS and identify problems and impediments that the vulnerable groups face in accessing information on HIV/AIDS and STI.

197. The Health Help Centre was introduced in 2012. This enabled people to access healthcare services with the help of a mobile network and through a toll free hotline. Ambulances are deployed from a nodal health facility through the health help centre.

198. The Ministry of Health initiated provision of HIV treatment i.e. anti-retroviral medicines for all People Living with HIV/AIDS (PLHA) and currently there are 151 people on treatment. Various programs to prevent mother to child transmission of HIV/AIDS are being carried out including a mandatory HIV testing and counselling for pregnant women. Several Health Information Service Centres are set up to increase accessibility to HIV testing and counselling.

199. The Bhutan National Strategic Plan for the Prevention and Control of STIs and HIV/AIDS, 2012-2016 includes provision for the inclusion of women in decision-making processes related to design, implementation and review of HIV/ADIS control programs. It also includes recommendations responding to gender-based stigma and discrimination towards female sex workers.

200. Under the leadership of RENEW, a youth network, Druk Adolescent Initiatives for Sexual Awareness Network (DAISAN) has been established. As of 2014, it is operational in 10 Dzongkhags. It strives to create and enhance awareness on Sexual and Reproductive Health issues among the youths in their respective communities.

201. Lhaksam, a CSO was established in 2009 and registered as a CSO in 2010 by a group of people living with HIV to create and promote a strong support system to address and take collective action to effectively respond to the needs of people living with HIV. Further RENEW as a member to the International Planned Parenthood Federation (IPPF) directly collaborates with Lhaksam in providing counselling services to the HIV positive people and conducting awareness programs on prevention, treatment and healthy living in the community.

202. Through the initiative of RENEW and support of the National Board of Certifying Counsellors, United States, the Bhutan Board of Certifying Counsellors (BBCC) was launched in 2013 with an objective to develop counselling professionalism in the country. The BBCC amongst others will also focus on developing mental health professionals in the country.

Article 13: Economic and Social Benefits

203. The Constitution guarantees equal right for women to participate actively in the political, economic, social and cultural life in Bhutan.

204. The main objective of the 10th FYP was to reduce poverty to 15% by 2013. The Poverty Assessment Report 2012 (PAR) states that the overall poverty reduced from 23% in 2007 to 12% in 2012 and rural poverty from 31% to about 17%. However, the proportion of poor in the urban areas remained practically unchanged at about 2%. The report also states that typically, welfare and household demographic composition are observed to have a nexus with the characteristics of the household head. Male headed households are observed to be, on average, less poor than the female headed households.

205. Inheritance by law continues to remain equal for both male and female. However, cultural practices are matrilineal in most regions. As per the BLSS, 2012, there are 127942 households in Bhutan of which, 29% of the households are headed by women at the national level with 19% in the urban areas and 34% in the rural areas.

206. The BLSS also found that about 29% of the households in Bhutan were female headed. The proportion of female-headed households is much higher in the rural areas at 34% than in the urban area which stands at 19%. 30% of the households with group membership were headed by females. However, female headed households accounted for 39% of membership in the community forest groups, 46% in the credit and saving group, 36% in the farmer groups-production, 39% in welfare and charity groups, and 56% in women's associations.

207. As regards trade, 9820 females are registered license holders against 9136 male as of 2012. With regard to industries, 6233 females are registered license holders, while 8702 are male. Financial institutions in Bhutan continue to maintain equal and non-preferential lending and saving interest rates for both male and female. Mortgages and collaterals are required to avail loans irrespective of sex. However, few targeted schemes have been introduced.

208. An initiative was designed for the street hawkers and informal vendors in 2012-13 in Thimphu by providing them a formal platform to sell and enhance opportunities to improve their livelihood. On this front, the BAOWE constructed marketing sheds. Trainings were also provided on food handling as per the hygiene standards. As of 2014, there are 50 beneficiaries of the project of which 46 are women.

209. In May 2008, to commemorate the centenary year of the monarchy, the Bank of Bhutan introduced a lending scheme to promote women entrepreneurs. The loan titled the 'ladies plus' loan is offered to women in all spheres for a period of three years. The annual interest rate for the first year is 8.5% followed by 9.5% in the second year and 10% in the third year. More than 1000 women availed the services out of which, about 51% comprised of housewives. The loan however was discontinued due to sustainability issues.

210. Mobile banking facilities introduced by the Bhutan Development Bank Limited (BDBL) in 2011 is also seen by women farmers as a convenient source of credit and banking.

211. The Government through its employment generation programs continues to support access to credit through initiative like the Credit Guarantee Scheme (CGS) and Income Generation Start Up Support Program (IGSP). Till date 86 females have availed such services against 100 male.

212. The BCCI also works towards enhancing access to finance through a formal collaboration with the BDBL by signing a Memorandum of Understanding (MoU) to provide financial support to the micro enterprises. The scheme known as Micro and Small Enterprises (MSEs) Development Loan scheme was officially launched on 14th April, 2010 in Mongar. As of August 30, 2014, it has benefited over 3187 Micro & Small Enterprises across the country with 90 % of the beneficiaries being women.

213. CSOs have been playing an important role in enhancing women's economic and social status through programs that expand micro credit options for women.

214. RORUM (meaning support/help in English), is one such initiative of BAOWE initiated in 2013-14. It is a small Savings & Credit Cooperative set up by 38 members of which almost 90% are women members. RORUM Credit Cooperative provides the financially disabled communities of Bhutan an opportunity of access to finance. As of now, only savings facilities are being provided to the members. Members can avail loan services after saving for a year.

215. RENEW in 2010 initiated a micro finance scheme in four Dzongkhags. The scheme as of 2014 has 112 centres benefitting 4000 women. Women are taught financial literacy and have now started group saving and lending schemes.

216. The TARAYANA Foundation started with a pilot micro credit programme in 2008 to enable community members to establish small enterprises. Beneficiaries availed loans for different purposes like setting up community shops, buying agriculture inputs, poultry farm, ponies etc. A total of 127 individuals and 22 groups availed this loan as of December 2013, of which women 70% of the beneficiaries are women.

217. Supported by the SAARC Development Fund (SDF), SABAH Bhutan was launched in 2011 under the CSO Act. It aims "to improve market access for the women's products by converting them into fashionable, market-friendly products all under the common "made-in-SAARC" label and the SABAH Bhutan brand, allowing women to market collectively and eventually replace the middlemen in the value chain". SABAH supports women through trainings, trade facilitation services and business development opportunities. As of July 2014, SABAH is present in eleven Dzongkhags with 479 women beneficiaries.

218. Traditionally, women are an integral part of all cultural activities in Bhutan. Women continue to freely and equally participate in recreational activities and all aspects of cultural life. Since the late 2000's, women have started embracing sports which are conventionally dominated by men. Khuru, a traditional dart game, largely dominated by men, is today played by women also.

Article 14: Rural Women

219. The development plans and policies, all being guided by the Constitution and strive towards creating an enabling environment for pursuing Gross National Happiness (GNH). The GNH includes balanced and equitable socio-economic development as one of its four pillars.

220. The overarching objective of the 11th FYP is to achieve Self-reliance and Inclusive Green Socio-Economic Development. Against this backdrop, poverty

reduction is one of the 16 National Key Result Areas of the plan. The Government targets to further reduce poverty to 5% by 2018. In addition to income poverty, the government has also set an aggressive target to reduce multidimensional poverty from 25.8% in 2010 to 10% by 2018.

221. The LDPM was formulated considering the needs of women and gender equality. It provides for the involvement of women in the development planning process through steps and methods on how to ensure the participation of women. The local government planners have been trained to use the LDPM effectively in the local government planning.

222. Access to health for rural women is being enhanced through establishment of facilities and expansion of services. Primary health care coverage has expanded through the establishment of health units and outreach clinics and placement of health workers in the villages. As of 2011, there are 184 Basic Health Units and 517 Outreach clinics generally located in the rural areas. From a human resource perspective, there are 491 (326 male, 165 female) community health workers exclusively in rural areas. In addition, there are about 120 (21 males, 99 female) traditional medicine practitioners, who are mostly located in the rural areas.

223. To enhance access to quality reproductive health for women in the rural areas, gynaecologists are being deputed on a monthly basis to areas where there are no such facilities. Further, the Heath Promotion Division is responsible for disseminating heath related information, through various programs, including all forms of media. The Maternal and Child Health (MCH) book includes all information related to mother and child health including nutrition. It is compulsory for every pregnant woman to maintain one, from the first pre-natal check-up.

224. Currently His Majesty's Secretariat takes the initiative to monitor and ensure that every Bhutanese citizen is protected from a basic needs perspective, especially in the rural areas. Through the land rehabilitation programs of the Secretariat, lands have been granted to the landless and socio-economically disadvantaged groups. Other supports have been provided through housing, agriculture, health, water, electricity and income generating interventions.

225. The Buzip Centre programme of TARAYANA was started in 2010 with the objective to provide for a reliable child-care support and peace of mind to parents in the rural communities; to give young children the opportunity to reach their full potential in terms of cognitive and socio-emotional development by creating an accessible space that is safe and fun to learn; and to make available opportunities for gainful employment and personal growth for young women in the rural communities. These facilities will foster positive experiences early on and further ensure that these children are fully prepared to succeed in the primary school, and greatly improve their likelihood of academic and social success in the years to come. It also empowers women to pursue income-generating activities, training opportunities, and provides with outlets for more active engagement with the local governance. There are 25 such centres as of 2014 and 25 more are planned for establishment in 2015.

226. The Rural Economic Advancement Program (REAP), phase 1 has been initiated in 2009 to enhance livelihood of the poor communities in the rural areas, through income generation activities. The REAP covered 17 Dzongkhags and focused on agriculture productivity through input supply, access to market supply

and skills development. The activities that directly benefit women under REAP are the establishment of 3 day care centres, pooled labour in the communities to build houses ensuring labour supply for women headed households and formation of Self Help Groups (SHG) and cooperatives. REAP also ensured that women participated in the focus group discussions and the training and capacity building programs. It is reported that 2035 females and 2239 males benefited from the program. A second phase to the REAP program will continue in the 11th FYP, which is targeted to 116 villages.

227. The Rural Development Training Centre (RDTC) located in Central Bhutan, continues to enhance the skills and knowledge of modern day farming to increase their opportunity of economic sustainability. It conducts outreach programs that are inclusive of responsiveness to the needs of the women's groups.

228. The MoAF continues to initiate and implement projects that support livelihood in rural areas. In particular, backyard poultry farming is increasingly becoming popular especially among poor rural women as an easy and convenient means to increasing household income. Supply of farm machineries namely weeders and paddy transplanters have made women's work a lot easier given that it was mostly women who carried out weeding and the planting.

229. Emphasis has also been laid on the formation of Farmer's Groups and Cooperatives. As of 2013, there are 2199 male and 1975 female registered members in the Farmer's groups. In the Cooperatives, there are 784 registered male and 657 female members.

230. The NCWC through the ADB Japan Fund for Poverty Reduction grant project has since 2012 established 62 operational SHGs in four Dzongkhags. The SHGs have a total of 993 members, out of which, 832 are women. The products of the SHGs are mainly agro/farm based. The SHGs are in collaboration with the CSOs like TARAYANA and BAOWE, who already have presence and experience in such fields. The project also supported training of the SHG members and supply of equipment and other inputs.

231. Concerted efforts have been made to construct marketing facilities in the form of temporary, semi-permanent and permanent sheds and huts. Over the years, the numbers of such facilities are visibly increasing with more women farmers accessing them.

232. Focused studies, namely "Gender and Poverty Analysis Study 2012, in the SFED MAGIP Non-Wood Forest Products" programme area of Lauri gewog under Samdrup Jongkhar Dzongkhag and the MAGIP Comprehensive Gender Study, "Towards enchaining Gross National Happiness 2014," by the MoAF provides clearer insights of women in agriculture. The studies not only establish the concerns but also recommend measures to mitigate and eliminate the issues.

233. As of 2013, 98% have access to improved water sources, with the majority of those households (78%) having water piped into their dwelling or compound. However, most of the households that have unimproved water sources are in the rural areas, which account for about two-thirds of the overall households in the country. 3% of the rural households, compared with only about 1% of the urban households, have unimproved water sources.

234. As of 2013, 81% of the households have access to improved sanitation facilities with 63% connected to the flush toilets and 14% accessing pit latrines with slab. Almost 90% of the households with an improved sanitation facility do not share the facility with another household, while 9% share the facility with fewer than 10 households. The proportion of households with improved sanitation facilities in the rural areas stands at 74%.

235. 92% of the urban households and 87% of the rural household have access to electricity. In the rural areas, except for the Basic Health Units, food markets or shops, and the village temples and monasteries, which are mostly accessible within half an hour, most service centres are at least an hour away. These are established from the BLSS 2012.

236. Under various programs focused on rural areas like the Village Skills Development Program, Special Skills Development Program, Rural Electrician Training Program and the Rural Skills Development Project, a total of 1140 females in rural areas were trained. The skills imparted were on house wiring, construction, tailoring, embroidery, hair dressing, repair of electrical appliances and traditional crafts. This not only helped the rural women in income opportunities but also supported savings on possible expenditure.

Article 15: Equality before Law

237. Equality before law is provided for by The Constitution through Article 7 (15) states that "All persons are equal before the law and are entitled to equal and effective protection of the law and shall not be discriminated against on the grounds of race, sex, language, religion, politics or other status". The Civil and Criminal Procedure Code of Bhutan 2001 (CCPC) through section 3 provides for "equal and effective protection of law for all without discrimination on grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status".

The Royal Court of Justice

238. The Supreme Court of Bhutan was established on 21st February, 2010 and is the highest appellate authority to review appeals. Access to justice has become easier and affordable with the establishment of courts in all the 20 Dzongkhags and 15 Dungkhags.

239. Article 21 (1) of the Constitution requires the Judiciary to uphold and administer justice fairly and independently without fear, favour or undue delay in accordance with the Rule of Law to inspire trust and confidence and to enhance access to justice. In addition, the guiding policy of the Royal Court of Justice is to make judicial process responsive, effective, faster, better and easier.

240. The Judiciary maintains a computerized Case Information System (CIS) to maintain case records and monitor the progress of the cases. An annual evaluation is conducted on the statistics of the yearly cases, duration and timeliness of the cases, stages of hearings, etc. In criminal cases, the courts are mandated to convene the preliminary hearing within 10 days of registration of the case and within 108 days for the civil cases. Individual bench clerks are assigned cases in seriatum and are responsible for maintaining case records and assisting the case proceedings to

ensure that cases are mostly decided within 12 months. A monthly case report along with reasons for cases pending beyond 12 months is submitted to the Chief Justice of Bhutan. The case information report segregates the decided cases into two parts as cases that are decided within 108 days and beyond 108 days.

241. The percentage of cases pending in all level of courts was negligible at only 6.9%. In absolute numbers, out of 19, 653 new registered cases and 1082 cases brought forward at all levels of courts in the year 2013, a total of 19304 cases were decided and only 1431 cases were left pending. There was a steady increase in the number of cases decided in less than 108 days from 3753 cases in 2000 to 14150 cases in 2012.

The Office of the Attorney General (OAG)

242. The Office of the Attorney General was formally established in 2006. Till then it was carrying out similar functions but was known as the Office of Legal Affairs. With the enactment of the Office of the Attorney General Act in 2006 (OAG Act) and the commencement of the Constitution in 2008, the office has been granted additional responsibilities and mandates.

243. The Constitution under Article 29 provides that the Attorney General's Office shall function in accordance with the OAG Act. The OAG Act mandates, among others, the office to Prosecute, Render legal opinions, Draft and review bills and Provide advice on all legal matters.

244. With regard to prosecution, it prosecutes all cases based on the principle that all persons are equal before the law and ensures that all other principles enshrined in the Constitution which is the supreme law of the country is adhered to. It does not discriminate anyone on the grounds of race, sex, language, religion, politics or other status. While deciding to initiate a case before the court, the prosecutors look into the merit of the case, particularly the evidence available. However when it comes to women and children the concerned prosecutors use gender lens and also takes into consideration the humanitarian grounds in favour of women and children. Moreover relevant legislations like the DVPA and CCPA are referred to and invoked so as to charge the perpetrator of the crime against women and children with an offence which is of higher degree.

245. With regard to drafting and reviewing, it can be seen from the recent legislations that all Acts passed after the commencement of the Constitution is gender neutral. The office while drafting or reviewing any legislation, always ensures that the legislation is gender responsive and in line with all the existing laws including International Conventions, Treaties, and Protocols that the county is party to.

Article 16: Marriage and Family Relations (Includes Response to Paragraph 34, Concluding Observations, 7th Periodic Report, CEDAW)

246. Under the Constitution of the Kingdom of Bhutan 2008, the Marriage (Amendment) Act of Bhutan 2009 provides the legal platform based on which parties to marriage have equal right to enter and choose a spouse. A Bhutanese woman also has the right and is educated on family planning.

247. The Marriage (Amendment) Act of Bhutan 2009, section Kha 7.2 is amended as "In the case of married couple getting a divorce, children under the age of 9 years shall remain under the custody of the mother unless the court finds compelling reasons to order otherwise. Compelling reasons by which a mother can be deprived of custody include neglect, abandonment, unemployment and immorality, habitual drunkenness, drug addiction, maltreatment of child, insanity, affliction with communicable illness, and any other ground that the court determines. In such a case the custody of a child may be given to the other parent or to a third person or recognized organization established under Civil Society Organization Act, in the best interest of the child. The court shall determine the frequency and conditions under which the other parent (s) may meet with the child/children."

248. The Marriage (Amendment) Act of Bhutan 2009 governs marriage and its dissolution. As per Section 5.1 of the Marriage Act, on divorce the women are entitled to a separation cost based on the number of years of marriage. Further, the mother is entitled to receive child support in accordance with Kha 7 (3) from the father and such child support may increase or decrease with the variation in the income of the father as per Section Kha 8 (1).

249. The Section GA 6 (13) of the Inheritance Act, 1980, provides that on a mutual divorce both the parties are entitled to an equal share of the properties acquired during the time of their marriage. However, as per Section GA 6 (15), in case the divorce occurs due to the fault of one of the parties, then the property will be divided into 4 parts, wherein two parts will be given to the party who is not at fault, one part to the defaulting party and one part to the children with the exception that the children under 18 years are not liable for any out-standing debts of the parent.

Conclusion

Bhutan has been making serious and committed efforts to responsibly implement the CEDAW. However, given the limited human and financial resources and the diverse nature of the issue (of women's empowerment), there have been challenges, be it geographical, social and economic. Given the similar nature of the issues of concern, this part of the report attempts to consolidate the various issues of concerns. Similarly, the future prospect for Bhutan is provided by the 11th FYP at the national and sector level. Therefore, this part also attempts to envision the various aspects of plan which give a positive future prospect for women's empowerment in Bhutan.

Issues of Concern:

1. Despite strong constitutional and policy mandates backed by the political will and improving awareness levels, understanding of gender issues still appear to be inadequate. Incomplete understanding of gender equality issues leads to hesitance in initiating gender responsive reforms and in embracing all forms of temporary special measures. A sizeable amount of the population is still confused to acknowledge, recognize and compensate the care responsibilities that our women shoulder.

2. Bhutan has been practicing a merit based system in accessing and availing opportunities, which in the Bhutanese context has been reasonably successful. Therefore, contradictory to CEDAW's idea of discrimination, large

segments of the society, including women themselves, often misunderstand the temporary special measures as a form of discrimination.

3. The traditional belief of women as the better care givers still prevail strong which is still a concern. Given the preceding concern, limited and lack of child care facilities at workplaces and during elections only adds on to impeding women in either joining or continuing their professional careers.

4. A recurrent and continued issue is translating the enabling legal, policy and political environment into actions. This can be attributed to the limited capacities. A consistent support towards institutional strengthening and capacity development remains a continuous issue of concern for the NCWC. The high rates of turnover of personnel in partner agencies of the NCWC and the emerging nature of the issue aggravate the concern. Further, similar challenges in the CSOs are also a cause of concern.

5. Sex disaggregated data is being increasingly generated. However, its effective use in the planning and decision making process is limited. This again can be attributed to the limited capacity.

6. Women's empowerment issue is spread across the country in various forms and magnitudes. Given the fact that there are already capacity constraints, challenging topography and demography with mountainous terrain, scattered settlement, high rural population, porous borders etc. makes it doubly challenging from a financial and human resource perspective to reach the possible beneficiaries in the optimum manner.

7. From a protection perspective, law enforcement's and health sectors capacity on issues like domestic violence and violence against women, despite efforts is being repeatedly identified as a challenge. Further, lack of family courts and dedicated days for proceedings on cases related to violence against women is also indicated as a challenge.

8. Given the fact that women's issue is cross cutting, it is strategic and crucial to have a coordinating law or a policy to leverage partnership, ownership and meaningful contribution. Therefore, learning from the present experience, not having a specific legislation or a policy on women's empowerment/gender equality is seen as a bottleneck towards the full realization of constitutional provisions.

Future Prospects

9. The 11th Five Year Plan is targeting for a gender friendly environment for women's participation in all spheres with the NKRA as the biggest window of opportunity to leverage the various women's empowerment initiatives. From a planning perspective, gender mainstreaming has been strengthened significantly, where possible key performance indicators of the NKRAs and its related outcomes, outputs and activities are gender sensitive. It attempts to ensure such targets by also mandating implementation of GRPB and regular gender sensitization in sectors.

10. The NCWC has been strengthened significantly and is mandated with more responsibilities through laws like DVPA and CCPA. To make gender mainstreaming more transparent, the NCWC has developed web based systems on monitoring gender activities in Bhutan, formulated gender mainstreaming guidelines and several advocacy and awareness programs. The GFP network in 2015 is also

envisaged to be expanded effectively in the local governments. This will only support women's empowerment initiatives at the local government levels.

11. The MRG, which started at the central level is now being initiated and piloted in the local governments with MRGs being formed. The responsibilities will include enhancing awareness and capacity to understand gender issues and accordingly mainstream it at the local levels.

12. The BGEDSS dissemination is planned across the country. The program will reach out to a large audience including the local governments. As evident from the study, stereotype and prejudices will be highlighted as a constraining factor in all the eight sectors. The support is through the ADB and is planned to be carried out in 2015.

13. The projects in collaboration with development partners like UNODC and SAIEVAC are expected to enhance awareness levels and develop capacities on combating human trafficking. The project also targets establishing a framework through a standard operating procedure (SOP) to combat trafficking. This is a first of its kind project in Bhutan on human trafficking.

14. The RBPs target of expanding the WCPU services to all the 20 Dzongkhags in the 11th FYP will provide a huge boost in combating violence against women. The architectural design of a number of the newly constructed Courts includes provisions of facilities for women and children. It can, therefore be seen as a matter of time, before it is utilized, which can lead to further reforms in the whole judicial system.

15. MoE amongst many other programs intends to continue its gender responsive classroom training programs. Such programs are anticipated to enhance understanding and reform conventional teaching practices, which will trigger perception and behavioural change in children.

16. The government is developing an education blueprint, which is envisaged to be a strategy to enhance accessibility, affordability and quality of education services in Bhutan.

17. The approved construction of 150 bed hospital for women and children is seen as an important reform in providing specialized and responsive services for women and children, thereby improving access and quality of the services.

18. The draft Financial Inclusion Policy provides for significant opportunities in enhancing access to finance for women, including rural women. The draft Social Protection Policy is being reviewed by the Government to ensure that it is inclusive of various forms of social protection. It provides a scope to include women. Likewise, given the incorporation of gender in the GNH policy screening tool, policies on the whole will be reviewed or at least formulated in a gender sensitive manner.

19. The draft NAP to promote gender equality in the elected offices, if approved will provide the platform for initiating numerous activities on women's empowerment in Bhutan.

20. The NCWC with the support of the GNHC will continue to mobilize resources from existing development partners like the UN, ADB and the World Bank. New partnerships will also be explored to mobilize both technical and financial support.

Annex

Vision

A happy nation where children, women and men live in harmony with equality and respect in all spheres of life.

Mission

1. To protect and promote the rights of women through gender-responsive interventions.

2. To protect and promote rights of children through child-responsive interventions.

Objectives

1. To review, reform, initiate and support policies, plans, projects and activities from a gender equality perspective.

2. To review, reform, initiate and support policies, plans, projects and activities from children-sensitive perspective.

Functions

- Review and formulate gender responsive and child sensitive policies
- Advocate for gender equality and child sensitive Legislations, Policies and Plans
- Create awareness, and sensitization for all stakeholders
- Coordinate and Partner with stakeholders on issues pertaining to women and children
- Coordinate the preparation and submission of reports at the national, regional and international levels
- Monitoring and Evaluation of all activities pertaining to issues related to women and children
- Mobilization of Resources for NCWC, collaborating partners and relevant implementing NGOs
- Develop, propose and support Gender Responsive and Children sensitive programs and activities
- Build and strengthen the capacities of Gender Focal Point.